

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

SHAWN GARGALINO,

Plaintiff,

v.

Case No. 12-10788

CITY OF DETROIT,

Defendant.

ORDER OF VOLUNTARY DISMISSAL

Plaintiff initiated this action on February 21, 2011, and Defendants have yet to answer the complaint or file any motions. On February 22, 2012, Plaintiff filed a notice of voluntary dismissal under Federal Rule of Civil Procedure 41(a)(1)(A)(i), which allows a plaintiff to dismiss an action "without a court order" by filing "a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment." Although Plaintiff's notice effectively dismissed this matter, the court here confirms that dismissal for the sake of docket clarity. Accordingly,

IT IS ORDERED that the above-captioned matter is DISMISSED in accordance with Rule 41(a)(1)(B).

s/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: February 27, 2012

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, February 27, 2012, by electronic and/or ordinary mail.

s/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522